

REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
March 16, 2006

PRESENT: Lou Ann Christensen Mayor
Jon Adams Councilmember
Holly Bell Councilmember
Alden Farr Councilmember
Reese Jensen Councilmember

ALSO PRESENT: Jim Buchanan Director of Emergency Services
Mary Kate Christensen City Recorder
Jared Johnson Building Official
Paul Larsen Director of Economic Development
Dennis Sheffield Director of Finance
Paul Tittensor Chief of Police
Alan Wright Director of Public Power

EXCUSED: Steve Hill Councilmember

Mayor Christensen called the meeting to order. The scouts in the audience led the Pledge of Allegiance. The Reverence Period was given by Alan Wright.

Approval of Minutes: Mayor Christensen suggested a clarification on page 4. She recommended, "In the interim, this service will have to be provided by other places, such as the Senior Center. The Blue Goose, because it is basically *broke*, will be curtailed" be changed to, "In the interim, this service will have to be provided by other places, such as the Senior Center. The Blue Goose, because it is basically *running out of funding sources*, will be curtailed." A motion to approve the minutes of March 2, 2006 as amended was made by Councilmember Bell. The motion was seconded and carried.

WATER ENVIRONMENT ASSOCIATION OF UTAH (WEAU) AWARD PRESENTATION

Mayor Christensen announced that this award is being presented to David Coates, Superintendent of Waste Treatment. Dan James, Utah Division of Water Quality, and Garland Maine, Past President of the Timpanogos Special Service District, came forward. Mr. James is the Federation Director representing the Utah Water Environment Association in Washington D.C. Mr. James explained that this award, the William D. Hadfield Award, is presented to an operator of a Waste Treatment Plant for his outstanding performance and professionalism. He said it is a real honor to present this award to David Coates. Mr. Coates began his career in waste water as Collection System Operator in July 1987. Within two years he was promoted to Lead Plant Operator. By January 1991 he was General Plant Superintendent. He became the Waste Treatment Plant Superintendent in 1996. During his reign, the plant, as well as members of his staff, received awards in every possible category from the WEAU. Mr. Coates has received as many as four awards in one single year. In 2005, the Rural Water Association recognized the Brigham City plant as the Outstanding Waste Water Service to Customers. The nomination was made by industry peers. Under Mr. Coates direction, the Plant's performance has been exemplary. Few facilities, if any, can catch or match its effluent quality in its discharging state. Major projects, such as upgrades and construction of the handling facility have taken place, as well as installation of ultraviolet and disinfection system, eliminating the use of storage of large quantities of chlorine sulphur dioxide. GIS mapping of the collection system has also occurred. Mr. Coates' most recent labors researched and participated in the efforts which were resolved in assisting the citizens for equitable and cost effective replacement of the sewer service laterals. This list of accomplishments could go on. Mr. Coates is a straightforward individual and very direct in doing business and getting the job done. His honesty and integrity, his commitment to the job cannot be questioned. Anyone who has Mr. Coates as a friend has a true friend for life. With him at your back, it is always covered. He presented the award to Mr. Coates.

Mayor Christensen presented the agenda as follows:

PUBLIC COMMENT CONSENT

Request for Approval of Liquor/Beer License for Sockery's Inc., Located at 960 East 700 South
Appointment to Heritage and Cultural Arts Advisory Board
Re-Appointment and Appointment to Neighborhood Pride Council
Re-Appointments to Volunteer Center Advisory Board
Appointment of First Alternate on the Planning Commission
New EMT Hires, Ambulance Department

Recommendation to Cancel April 6, 2006 Council Meeting
Resolution Supporting the Selection of the Golden Spike Locomotive Design for Utah's
Commemorative Quarter
Appointments to Citizen Corps Council

PUBLIC HEARINGS

Consideration of a 10-Year Non-Exclusive Franchise Renewal Agreement with Comcast of Utah

SCHEDULED DELEGATION

Update on Academy Project

NEW BUSINESS

Recommendation to Authorize Mayor Christensen to Sign Award of Bid to Staker & Parson for the
Brigham City Airport Project

CLAIMS

Payment Register

Councilmember Bell made a motion to approve the agenda as read. The motion was seconded and carried unanimously.

PUBLIC COMMENT

Barbie Osborne - Ms. Osborne said she is the General Manager of the Howard Johnson Inn in Brigham City. Ms. Osborne said something has to be done about Highway 89 just south of 1100 South. There have been two deaths in front of her business. The traffic is traveling 50 mph coming from Perry to the traffic light. Something has to be done. She said she will personally buy the concrete if someone will put up some kind of divider in the middle lane. There have been two accidents in the last four months with people trying to drive into her business. There was an accident a few days ago just past the Sinclair. There is no traffic sign to slow drivers down. She asked if something could be done by Brigham City, or if she should go to Perry. Mayor Christensen said Bruce Leonard and Chief Tittensor will get in touch with Ms. Osborne to discuss this further.

CONSENT

Request for Approval of Liquor/Beer License for Sockery's Inc., Located at 960 East 700 South
It was recommended a liquor/beer license be approved for Sockery's Inc., located at 960 East 700 South.

Appointment to Heritage and Cultural Arts Advisory Board

Dale Hendrickson was recommended to serve on the Heritage and Cultural Arts Advisory Board

Re-Appointment and Appointment to Neighborhood Pride Council

It was also recommended Dee Garvin be re-appointed to the Neighborhood Pride Council, and Jerry Hilton be appointed to serve on the same Council.

Re-Appointments to Volunteer Center Advisory Board

Renee Allen and Bea Thurston were recommended to be re-appointed to the Volunteer Center Advisory Board.

Appointment of First Alternate on the Planning Commission

It was recommended the City Council approve the appointment of Patty Ellis to serve as first alternate on the Brigham City Planning Commission.

New EMT Hires, Ambulance Department

Rachael Eaves, Wayne Stephenson and Dylan Reeves were recommended to be hired as Basic Emergency Medical Technicians.

Recommendation to Cancel April 6, 2006 Council Meeting

The Mayor recommended the April 6, 2006 Council meeting be cancelled due to the Utah League of Cities and Towns Conference being held that week.

Resolution Supporting the Selection of the Golden Spike Locomotive Design for Utah's Commemorative Quarter

Appointments to Citizen Corps Council

It was recommended the City Council approve the appointments of Jim Christensen and Reed Burke to serve on the Citizen Corps Council.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Adams, seconded and carried.

PUBLIC HEARINGS

Consideration of a 10-Year Non-Exclusive Franchise Renewal Agreement with Comcast of Utah

Mr. Larsen explained that this franchise agreement provides Comcast with access for rights-of-way and public utility easements that are owned by Brigham City Corporation for the purpose of providing television services. Comcast is unable to have a representative present, so Mr. Larsen suggested hearing any comments and then continuing the public hearing on April 20, 2006 when representatives from Comcast can be present to address any questions or concerns.

Councilmember Adams said he forwarded some questions to Mr. Tingey, one of which is the 10-year term which is longer than the previous agreement. However, the 10-year term has become an industry standard. There has been concern expressed from the community about not receiving the same discounts other service providers provide in other communities. These are questions that can be addressed when Comcast is present.

A motion to open the public hearing was made by Councilmember Bell, seconded and carried.

Mr. Sheffield read the attached letter from Mr. Keith Opprecht.

Councilmember Bell made a motion to close the public hearing, seconded by Councilmember Adams. He suggested the public hearing not be closed, but continued on April 20. Councilmember Bell amended her motion to continue the public hearing April 20, 2006. The amended motion was seconded by Councilmember Jensen and unanimously carried.

Mr. Larsen addressed some of the issues in Mr. Opprecht's letter. Mr. Larsen stated that the new contract has a paragraph that addresses customer service. This was not in the previous contract. Ultimately, if they fail to meet the performance standards their franchise can be revoked.

Regarding price, Mr. Larsen did not feel Brigham City has any ability to require a set price. This is a market decision Comcast makes. In places where competition has entered the marketplace, they are seeing rates decrease dramatically.

Councilmember Adams expressed concern if Brigham City's residents are not getting the same kind of consideration as other communities because Comcast is the only service provider.

SCHEDULED DELEGATION

Update on Academy Project

Patrick Overton and Paul Larsen approached the Council. Mr. Overton reported that the Steering Committee made the following recommendations for Phase I of the Academy Square Project.

1. Establish nonprofit to raise funds, possibly oversee events in Christensen Brothers Museum/Academy Building.
2. Redesign building to hold a small Christensen Brothers Museum on the first floor to include modest artifact display and computers for research/connections to San Francisco Performing Arts Library and Museum.
3. Create "Rural Genius Community Training Center" in conjunction with Christensen Brothers Museum/Academy Building.
4. Establish endowment for Christensen Museum Building.
5. Restore second floor for large events, dance festivals (Nutcracker Festival, etc.), meetings, community gatherings, dances, training, etc.
6. Explore establishing public/private partnership with City to renovate, operate and maintain the building.

Mr. Overton said he believes very strongly in the role citizens play in the development, growth and creativity in their community. The Christensen Brothers certainly did that. As a result of this, at the revisioning meeting they held in December, The Front Porch Institute announced three recipients of the Front Porch Institute World Genius award: 1) Delone Glover for her lifelong commitment to all the things that are important in the history and story of this community; 2) Kathy Rigby, who represents a younger generation who has stepped forward and accepted responsibility, and who was responsible for getting Mr. Overton involved in the project; and, 3) Ned Young, who is a gift to the community and a nationally known artist. Mr. Overton said this is the first time the Institute has given multiple awards in the same community. He proposed exploring the possibility of the Front Porch Institute in Brigham City in the Foundation, explore the establishment of a rural small community leadership training center to help other small communities acknowledge the contribution their citizens make.

Mr. Overton said they are going to establish an endowment. They will launch a fund raising campaign in June. The first phase of this will be a community-based campaign to raise money for the plaza. The second part will be to raise money for the endowment, which will be partially with individuals in the San Francisco area.

They propose the second floor be restored for large events, such as dance festivals, including the Nutcracker Festival. He proposed this be looked at as a month-long event in December to bring people from all over the country to this community. The second floor could also be used for meetings, community gatherings, dances and training. He also proposed they look at establishing the public-private partnership to renovate, operate and maintain the building.

Mr. Overton said they have put together an assembly schedule for the schools. The Dream Pointe Ballet Company will present a program at eight of the schools in the area and the Steering Committee will share the story of the Academy Building. The slide presentation will then be expanded and presented to civic organizations and local groups.

NEW BUSINESS

Recommendation to Authorize Mayor Christensen to Sign Award of Bid to Staker & Parson for the Brigham City Airport Project

Mr. Johnson reported that there were two bidders on this project. Parsons came in with the lowest bid, which was under the engineer's estimate. The FAA would like to issue the grant by the end of this month. They have money in the airport capital facilities fund to pay the City's match if the project starts before the new budget year.

MOTION: Councilmember Adams moved to authorize the Mayor to sign the bid to Staker and Parson for the airport project. Councilmember Bell seconded the motion, unanimously carried.

CLAIMS

Payment Register

Councilmember Bell moved to approve General Claims dated February 28, 2006 in the amount of \$287,243.90; for March 7, \$152,037.05; for March 14, \$491,781.22. The motion was seconded and carried.

A motion to adjourn was made by Councilmember Jensen, seconded and carried unanimously. The meeting adjourned at 7:56 p.m.